

suitable vessels as may, in his judgment, be required.

(R.S. §5318; Jan. 28, 1915, ch. 20, §1, 38 Stat. 800; Aug. 4, 1949, ch. 393, §1, 20, 63 Stat. 496, 561.)

CODIFICATION

R.S. §5318 derived from act July 13, 1861, ch. 3, §7, 12 Stat. 257.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

“Coast Guard vessels” substituted in text for “revenue-cutters”, the Revenue Cutter Service and the Life-Saving Service having been combined to form the Coast Guard by section 1 of act Jan. 28, 1915. That act was repealed by section 20 of act Aug. 4, 1949, section 1 of which reestablished the Coast Guard by enacting Title 14, Coast Guard.

DELEGATION OF FUNCTIONS

For delegation to Secretary of the Treasury of authority vested in President by this section, see section 1(i) of Ex. Ord. No. 10289, Sept. 17, 1951, 16 F.R. 9499, as amended, set out as a note under section 301 of Title 3, The President.

§§ 541, 542. Repealed. Aug. 2, 1956, ch. 887, § 4(a)(29), (30), 70 Stat. 948

Section 541, R.S. §2763, authorized use of small boats for use of customs officials.

Section 542, act Feb. 10, 1913, ch. 35, 37 Stat. 665, authorized Secretary of the Treasury to use the motor-boat provided for Corpus Christi, Texas.

PART 6—GENERAL PROVISIONS

§§ 571 to 573. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Sections, act Sept. 21, 1922, ch. 356, title III, §§320, 321, title IV, §641, 42 Stat. 947, 989, related to provisions as to effect of repeals, Treaty with Cuba and certain laws unaffected.

Provisions of Tariff Act of 1930 corresponding to section 571, see section 1651(c) of this title; section 572, see section 1316 of this title; section 573, none.

§ 574. Exemption from taking other oaths

Nothing contained in title 34 of the Revised Statutes shall be construed to exempt the masters or owners of vessels from making and subscribing any oaths required by any laws of the United States not immediately relating to the collection of the duties on the importation of merchandise into the United States.

(R.S. §3094.)

REFERENCES IN TEXT

Title 34 of the Revised Statutes, referred to in text, was in the original “this Title”, meaning title 34 of the Revised Statutes, consisting of R.S. §§2517 to 3129. For complete classification of R.S. §§2517 to 3129 to the Code, see Tables.

CODIFICATION

R.S. §3094 derived from act Mar. 2, 1799, ch. 22, §110, 1 Stat. 703.

§§ 575, 576. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Sections, act Sept. 21, 1922, ch. 356, title IV, §§645, 647, 42 Stat. 990, related to effect of partial invalidity and citation of chapter.

Provisions of Tariff Act of 1930 corresponding to section 575, see section 1652 of this title.

§ 577. Repealed. Oct. 31, 1951, ch. 655, § 56(d), 65 Stat. 729

Section, act Mar. 8, 1902, ch. 140, §8, 32 Stat. 55, made, “except as otherwise provided by law”, the provisions of subtitle IV of this chapter applicable to all articles coming into the United States from the “Philippine Archipelago”. Prior to this repeal, it had been omitted in view of the independence of the Philippines.

SAVINGS PROVISION

Act Oct. 31, 1951, ch. 655, §56(l), 65 Stat. 730, provided that the repeal of this section shall not affect any rights or liabilities existing hereunder on the effective date of such repeal [Oct. 31, 1951].

§ 578. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Section, act May 29, 1928, ch. 852, §708, 45 Stat. 881, related to definition of motor boat.

§ 579. Repealed. Aug. 2, 1956, ch. 887, § 4(a)(32), 70 Stat. 948

Section, R.S. §960, provided that in a suit on bond for the recovery of duties the court should grant judgment unless defendant made an oath that an error was committed in the liquidation of the duties demanded. See section 1514 of this title.

§ 580. Interest in suits on bonds for recovery of duties

Upon all bonds, on which suits are brought for the recovery of duties, interest shall be allowed, at the rate of 6 per centum a year, from the time when said bonds became due.

(R.S. §963.)

CODIFICATION

R.S. §963 derived from act Mar. 2, 1799, ch. 22, §65, 1 Stat. 676.

Section was formerly classified to section 787 of Title 28 prior to the general revision and enactment of Title 28, Judiciary and Judicial Procedure, by act June 25, 1948, ch. 646, §1, 62 Stat. 869.

CHAPTER 4—TARIFF ACT OF 1930

SUBTITLE I—HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

Sec. 1202. Harmonized Tariff Schedule.

SUBTITLE II—SPECIAL PROVISIONS

PART I—MISCELLANEOUS

1301 to 1303. Repealed or Omitted.
 1304. Marking of imported articles and containers.
 1305. Immoral articles; importation prohibited.
 1306. Repealed.
 1307. Convict-made goods; importation prohibited.
 1308. Prohibition on importation of dog and cat fur products.
 1309. Supplies for certain vessels and aircraft.
 1310. Free importation of merchandise recovered from sunken and abandoned vessels.
 1311. Bonded manufacturing warehouses.
 1312. Bonded smelting and refining warehouses.

Sec.		Sec.	
1313.	Drawback and refunds.	1434.	Entry; vessels.
1313a.	Appropriations for refunds, drawbacks, bounties, etc.	1435 to 1435b.	Repealed or Transferred.
1314.	Repealed.	1436.	Penalties for violations of arrival, reporting, entry, and clearance requirements.
1315.	Effective date of rates of duty.	1437.	Repealed.
1316.	Omitted.	1438.	Unlawful return of foreign vessel's papers.
1317.	Tobacco products; supplies for certain vessels and aircraft.	1439, 1440.	Repealed.
1318.	Emergencies.	1441.	Exceptions to vessel entry and clearance requirements.
1319.	Duty on coffee imported into Puerto Rico.	1442.	Residue cargo.
1319a.	Duty on coffee; ratification of duties imposed by Legislature of Puerto Rico.	1443 to 1445.	Repealed.
1320.	Repealed.	1446.	Supplies and stores retained on board.
1321.	Administrative exemptions.	1447.	Place of entry and unloading.
1322.	International traffic and rescue work; United States-Mexico Boundary Treaty of 1970.	1448.	Unloading.
1323.	Conservation of fishery resources.	1449.	Unloading at port of entry.
PART II—UNITED STATES INTERNATIONAL TRADE COMMISSION		1450.	Unloading on Sundays, holidays, or during overtime hours.
1330.	Organization of Commission.	1451.	Extra compensation.
1331.	General powers.	1451a.	Repealed.
1332.	Investigations.	1452.	Lading on Sundays, holidays, or at night.
1332a.	Importation of red cedar shingles.	1453.	Lading and unloading of merchandise or baggage; penalties.
1333.	Testimony and production of papers.	1454.	Unloading of passengers; penalty.
1334.	Cooperation with other agencies.	1455.	Boarding and discharging inspectors.
1335.	Rules and regulations.	1456.	Compensation and expenses of inspectors between ports; reimbursement.
1336.	Equalization of costs of production.	1457.	Time for unloading.
1337.	Unfair practices in import trade.	1458.	Bulk cargo, time for unloading.
1337a.	Repealed.	1459.	Reporting requirements for individuals.
1338.	Discrimination by foreign countries.	1460.	Repealed.
1339.	Trade Remedy Assistance Office.	1461.	Inspection of merchandise and baggage.
1340.	Omitted.	1462.	Forfeiture.
1341.	Interference with functions of Commission.	1463.	Sealed vessels and vehicles.
PART III—PROMOTION OF FOREIGN TRADE		1464.	Penalties in connection with sealed vessels and vehicles.
1351.	Foreign trade agreements.	1465.	Repealed.
1352.	Equalization of costs of production.	1466.	Equipment and repairs of vessels.
1352a.	Repealed.	1467.	Special inspection, examination, and search.
1353.	Indebtedness of foreign countries, effect on.	PART III—ASCERTAINMENT, COLLECTION, AND RECOVERY OF DUTIES	
1354.	Notice of intention to negotiate agreement; opportunity to be heard; President to seek information and advice.	1481.	Invoice; contents.
1355 to 1356j.	Repealed or Omitted.	1482, 1483.	Repealed.
1356k.	Importation of coffee under International Coffee Agreement, 1983; Presidential powers and duties.	1484.	Entry of merchandise.
1356l.	"Coffee" defined.	1484a.	Articles returned from space not to be construed as importation.
1356m to 1359.	Repealed.	1484b.	Deferral of duty on large yachts imported for sale at United States boat shows.
1360.	Investigation before trade negotiations.	1485.	Declaration.
1361.	Action by President; reports to Congress.	1486.	Administration of oaths.
1362 to 1365.	Repealed.	1487.	Value in entry; amendment.
1366.	General Agreement on Tariff and Trade unaffected.	1488, 1489.	Repealed.
1367.	Repealed.	1490.	General orders.
SUBTITLE III—ADMINISTRATIVE PROVISIONS		1491.	Unclaimed merchandise; disposition of forfeited distilled spirits, wines and malt liquor.
PART I—DEFINITIONS AND NATIONAL CUSTOMS AUTOMATION PROGRAM		1492.	Destruction of abandoned or forfeited merchandise.
SUBPART A—DEFINITIONS		1493.	Proceeds of sale.
1401.	Miscellaneous.	1494.	Expense of weighing and measuring.
1401a.	Value.	1495.	Partnership bond.
1402.	Repealed.	1496.	Examination of baggage.
SUBPART B—NATIONAL CUSTOMS AUTOMATION PROGRAM		1496a.	Clearance restrictions of individuals returning from abroad; special circumstances; "baggage and effects" defined.
1411.	National Customs Automation Program.	1497.	Penalties for failure to declare.
1412.	Program goals.	1498.	Entry under regulations.
1413.	Implementation and evaluation of Program.	1499.	Examination of merchandise.
1414.	Remote location filing.	1500.	Appraisement, classification, and liquidation procedure.
PART II—REPORT, ENTRY, AND UNLOADING OF VESSELS AND VEHICLES		1501.	Voluntary reliquidations by Customs Service.
1431.	Manifests.	1502.	Regulations for appraisement and classification.
1431a.	Documentation of waterborne cargo.	1503.	Dutiable value.
1432, 1432a.	Repealed.	1503a.	Repealed.
1433.	Report of arrival of vessels, vehicles, and aircraft.	1504.	Limitation on liquidation.
		1505.	Payment of duties and fees.
		1506.	Allowance for abandonment and damage.
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1508.	Recordkeeping.	1601, 1601a.	Repealed.
1509.	Examination of books and witnesses.	1602.	Seizure; report to customs officer.
1510.	Judicial enforcement.	1603.	Seizure; warrants and reports.
1511.	Repealed.	1604.	Seizure; prosecution.
1512.	Deposit of duty receipts.	1605.	Seizure; custody; storage.
1513.	Customs officer's immunity.	1606.	Seizure; appraisalment.
1514.	Protest against decisions of Customs Service.	1607.	Seizure; value \$500,000 or less, prohibited articles, transporting conveyances.
1515.	Review of protests.	1608.	Seizure; claims; judicial condemnation.
1516.	Petitions by domestic interested parties.	1609.	Seizure; summary forfeiture and sale.
1516a.	Judicial review in countervailing duty and antidumping duty proceedings.	1610.	Seizure; judicial forfeiture proceedings.
1517 to 1519.	Repealed.	1611.	Seizure; sale unlawful.
1520.	Refunds and errors.	1612.	Seizure; summary sale.
1521, 1522.	Repealed or Omitted.	1613.	Disposition of proceeds of forfeited property.
1523.	Examination of accounts.	1613a.	Repealed.
1524.	Deposit of reimbursable charges.	1613b.	Customs Forfeiture Fund.
1525.	Repealed.	1614.	Release of seized property.
1526.	Merchandise bearing American trade-mark.	1615.	Burden of proof in forfeiture proceedings.
1527.	Importation of wild mammals and birds in violation of foreign law.	1616.	Repealed.
1528.	Taxes not to be construed as duties.	1616a.	Disposition of forfeited property.
1529.	Collection of fees on behalf of other agencies.	1617.	Compromise of Government claims by Secretary of the Treasury.
PART IV—TRANSPORTATION IN BOND AND WAREHOUSING OF MERCHANDISE		1618.	Remission or mitigation of penalties.
1551.	Designation as carrier of bonded merchandise.	1619.	Award of compensation to informers.
1551a.	Bonded cartmen or lightermen.	1620.	Acceptance of money by United States officers.
1552.	Entry for immediate transportation.	1621.	Limitation of actions.
1553.	Entry for transportation and exportation; lottery material from Canada.	1622.	Foreign landing certificates.
1553-1.	Report on in-bond cargo.	1623.	Bonds and other security.
1553a.	Recordkeeping for merchandise transported by pipeline.	1624.	General regulations.
1554.	Transportation through contiguous countries.	1625.	Interpretive rulings and decisions; public information.
1555.	Bonded warehouses.	1626.	Steel products trade enforcement.
1556.	Bonded warehouses; regulations for establishing.	1627.	Repealed.
1557.	Entry for warehouse.	1627a.	Unlawful importation or exportation of certain vehicles; inspections.
1558.	No remission or refund after release of merchandise.	1628.	Exchange of information.
1559.	Warehouse goods deemed abandoned after 5 years.	1629.	Inspections and preclearance in foreign countries.
1560.	Leasing of warehouses.	1630.	Authority to settle claims.
1561.	Public stores.	1631.	Use of private collection agencies.
1562.	Manipulation in warehouse.	PART VI—MISCELLANEOUS PROVISIONS	
1563.	Allowance for loss, abandonment of warehouse goods.	1641.	Customs brokers.
1564.	Liens.	1642.	Omitted.
1565.	Cartage.	1643.	Application of customs reorganization act.
PART V—ENFORCEMENT PROVISIONS		1644.	Application of section 1644a(b)(1) of this title and section 1518(d) of title 33.
1581.	Boarding vessels.	1644a.	Ports of entry.
1582.	Search of persons and baggage; regulations.	1645.	Transportation and interment of remains of deceased employees in foreign countries; travel or shipping expenses incurred on foreign ships.
1583.	Examination of outbound mail.	1646.	Repealed.
1584.	Falsity or lack of manifest; penalties.	1646a.	Supervision by customs officers.
1585.	Repealed.	1646b.	Random customs inspections for stolen automobiles being exported.
1586.	Unlawful unloading or transshipment.	1646c.	Export reporting requirement.
1587.	Examination of hovering vessels.	1647.	Repealed.
1588.	Transportation between American ports via foreign ports.	1648.	Uncertified checks, United States notes, and national bank notes receivable for customs duties.
1589.	Repealed.	1649.	Change in designation of customs attachés.
1589a.	Enforcement authority of customs officers.	1650.	Transferred.
1590.	Aviation smuggling.	1651.	Repeals.
1591.	Repealed.	1652.	Separability.
1592.	Penalties for fraud, gross negligence, and negligence.	1653.	Effective date of chapter.
1592a.	Special provisions regarding certain violations.	1653a.	Transferred.
1593.	Repealed.	1654.	Short title.
1593a.	Penalties for false drawback claims.	SUBTITLE IV—COUNTERVAILING AND ANTIDUMPING DUTIES	
1594.	Seizure of conveyances.	PART I—IMPOSITION OF COUNTERVAILING DUTIES	
1595.	Searches and seizures.	1671.	Countervailing duties imposed.
1595a.	Forfeitures and other penalties.	1671a.	Procedures for initiating a countervailing duty investigation.
1596 to 1598.	Repealed.	1671b.	Preliminary determinations.
1599.	Officers not to be interested in vessels or cargo.	1671c.	Termination or suspension of investigation.
1600.	Application of the customs laws to other seizures by customs officers.		

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1671d. Final determinations.
1671e. Assessment of duty.
1671f. Treatment of difference between deposit of estimated countervailing duty and final assessed duty under countervailing duty orders.
1671g. Effect of derogation of Export-Import Bank financing.
1671h. Conditional payment of countervailing duties.

PART II—IMPOSITION OF ANTIDUMPING DUTIES

1673. Imposition of antidumping duties.
1673a. Procedures for initiating an antidumping duty investigation.
1673b. Preliminary determinations.
1673c. Termination or suspension of investigation.
1673d. Final determinations.
1673e. Assessment of duty.
1673f. Treatment of difference between deposit of estimated antidumping duty and final assessed duty under antidumping duty order.
1673g. Conditional payment of antidumping duty.
1673h. Establishment of product categories for short life cycle merchandise.
1673i. Repealed.

PART III—REVIEWS; OTHER ACTIONS REGARDING AGREEMENTS

SUBPART A—REVIEW OF AMOUNT OF DUTY AND AGREEMENTS OTHER THAN QUANTITATIVE RESTRICTION AGREEMENTS

1675. Administrative review of determinations.
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1675b. Special rules for injury investigations for certain section 1303 or section 1671(c) countervailing duty orders and investigations.
1675c. Repealed.

SUBPART B—CONSULTATIONS AND DETERMINATIONS REGARDING QUANTITATIVE RESTRICTION AGREEMENTS

1676. Required consultations.
1676a. Required determinations.

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1677-1. Upstream subsidies.
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1677a. Export price and constructed export price.
1677b. Normal value.
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1677c. Hearings.
1677d. Countervailable subsidy practices discovered during a proceeding.
1677e. Determinations on basis of facts available.
1677f. Access to information.
1677f-1. Sampling and averaging; determination of weighted average dumping margin and countervailable subsidy rate.
1677g. Interest on certain overpayments and underpayments.
1677h. Drawback treatment.
1677i. Downstream product monitoring.
1677j. Prevention of circumvention of antidumping and countervailing duty orders.
1677k. Third-country dumping.
1677l. Antidumping and countervailing duty collections.
1677m. Conduct of investigations and administrative reviews.
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SUBTITLE V—REQUIREMENTS APPLICABLE TO IMPORTS OF CERTAIN CIGARETTES AND SMOKELESS TOBACCO PRODUCTS

1681. Definitions.

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1681a. Requirements for entry of certain cigarettes and smokeless tobacco products.
1681b. Enforcement.

SUBTITLE VI—SOFTWOOD LUMBER

1683. Definitions.
1683a. Establishment of softwood lumber importer declaration program.
1683b. Scope of softwood lumber importer declaration program.
1683c. Export charge determination and publication.
1683d. Reconciliation.
1683e. Verification.
1683f. Penalties.
1683g. Reports.

SUBTITLE I—HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

CODIFICATION

Titles I and II of act June 17, 1930, ch. 497, 46 Stat. 590, 672, which comprised the dutiable and free lists for articles imported into the United States, were formerly classified to sections 1001 and 1201 of this title, and were stricken by Pub. L. 87-456, title I, §101(a), May 24, 1962, 76 Stat. 72. The Revised Tariff Schedules, which were classified to section 1202 of this title, were stricken by Pub. L. 100-418, title I, §1204(a), Aug. 23, 1988, 102 Stat. 1148, and were replaced by the Harmonized Tariff Schedule of the United States. See Publication of Harmonized Tariff Schedule note set out under section 1202 of this title.

CHANGE OF NAME

United States Tariff Commission renamed United States International Trade Commission by Pub. L. 93-618, title I, §171, Jan. 3, 1975, 88 Stat. 2009, which is classified to section 2231 of this title.

ENACTMENT OF HARMONIZED TARIFF SCHEDULE

Pub. L. 100-418, title I, §1204(a), Aug. 23, 1988, 102 Stat. 1148, provided that: "The Tariff Act of 1930 [this chapter] is amended by striking out title I and inserting a new title I entitled 'Title I—Harmonized Tariff Schedule of the United States' (hereinafter in this subtitle [subtitle B, §§1201 to 1217, of title I, see Tables for classification] referred to as the 'Harmonized Tariff Schedule') which—

"(1) consists of—

- "(A) the General Notes;
"(B) the General Rules of Interpretation;
"(C) the Additional U.S. Rules of Interpretation;
"(D) sections I to XXII, inclusive (encompassing chapters 1 to 99, and including all section and chapter notes, article provisions, and tariff and other treatment accorded thereto); and
"(E) the Chemical Appendix to the Harmonized Tariff Schedule;

all conforming to the nomenclature of the Convention and as set forth in Publication No. 2030 of the Commission entitled 'Harmonized Tariff Schedule of the United States Annotated for Statistical Reporting Purposes' and Supplement No. 1 thereto; but

"(2) does not include the statistical annotations, notes, annexes, suffixes, check digits, units of quantity, and other matters formulated under section 484(e) of the Tariff Act of 1930 (19 U.S.C. 1484(e)), nor the table of contents, footnotes, index, and other matters inserted for ease of reference, that are included in such Publication No. 2030 or Supplement No. 1 thereto."

[For effective date of Harmonized Tariff Schedule as Jan. 1, 1989, see section 1217(b) of Pub. L. 100-418, set out as an Effective Date note under section 3001 of this title.]

TARIFF CLASSIFICATION ACT OF 1962; ADOPTION OF REVISED TARIFF SCHEDULES; ADMINISTRATIVE AND SAVINGS PROVISIONS

Titles I and II of Pub. L. 87-456, May 24, 1962, 76 Stat. 72-75, as amended by Pub. L. 87-794, title II, §257(g),